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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,867	03/23/2001	Fredrik Sundqvist	VCC0083-US	6067

28694 7590 11/27/2002

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EXAMINER

KIM, CHONG HWA

ART UNIT	PAPER NUMBER
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3682

DATE MAILED: 11/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/816,867

Applicant(s)

SUNDQVIST ET AL. 

Examiner

Chong H. Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group I, Figs. 1-6, in Paper No. 7 is acknowledged. The traversal is on the ground(s) that both groups are directed to the same invention, that no serious burden will be placed on the Examiner, and that all claims can be applied either set of Figures. This is not found persuasive because 1) under 35 U.S.C. 121, applicant is required to elect a single disclosed species for prosecution on the merits and 2) the applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case.

The requirement is still deemed proper and is therefore made FINAL.

Claim Objections

2. Claims 4, 7 are objected to because of the following informalities: the word "arid" in claim 4, line 11 is not understood in the context of the claim limitations; the verb agreement in claim 4 needs to be reviewed; the misspelled word "brakeing" should be -- braking -- in claim 7, line 4. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 3-6 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3 and 4 recite the pronouns such as "it", "its", "they", or "them", in numerous occasions creating confusions as to which elements those pronouns are referring to.

Claim 4 recites the limitation "the force sensing mechanism" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 5 recites the limitation "the housing's translational motion" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "said force sensing mechanism" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Walters, U.S. Patent 4,854,187.

Walters shows, in Figs. 1-4, an arrangement for use in connection with a parking brake for a vehicle, the arrangement comprising;

a lever 40 coupled to at least one force transmitting wire 26 in a brake system, the lever being arranged so that upon application, the arrangement operates in two steps to achieve the intended brake power; in a first step, the lever is arranged to make a translational movement A, B for taking up wire slack in the brake system and in a second step, the lever is arranged to rotate C, whereby force transmission to the wire takes place at a higher ratio than during the first step;

a force sensing mechanism 38, 46, 48, 52 coupled to the wire, the force sensing mechanism having a locking pawl 38 that is arranged to be released to allow rotation first when the slack in the wire is taken up, and when the force in the wire exceeds a chosen value;

a translation lock 16 arranged to retain the lever in its tightened translational position;

a ratchet 10 arranged to retain the lever in its tightened rotational position;

a release arrangement configured to release the translation lock and the ratchet, the release arrangement including a release button 46 attached to the lever, the release button operating via a link system 48, 52 in the lever on the locks to free them,

the release apparatus being designed to first release the ratchet and thereafter, when the lever is in or near its rest position, then release the translation lock.

7. Claims 7-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Walters.

Walters shows, in Figs. 1-4, an arrangement for a two-stage parking brake, the arrangement comprising;

a lever mechanism (Fig. 1) connected to a brake wire 26, the lever mechanism configured to perform a first stage of operation (A and B directions) in which slack is removed from the brake wire and a second stage (C direction) in which a braking force is exerted on the brake wire;

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wherein the arrangement is configured to perform translational movement in the first stage for removing slack from the brake wire;

wherein the arrangement is configured to perform rotational movement in the second stage for exerting a braking force on the brake wire;

wherein the arrangement includes a pin-in-slot configuration 20, 22 utilized for performing the translational movement in the first stage for removing slack from the brake wire;

wherein the arrangement is configured to apply no force multiplication during the performance of the translational movement in the first stage for removing slack from the brake wire;

a force sensing mechanism 36, 16 configured to sense the amount of force being imposed on the brake wire and transition operation of the arrangement between translational and rotational movement dependent thereupon; and

a spring 36 incorporated in the force sensing mechanism and a degree of compression of the spring controlling the transition between translational and rotational movement.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cable controlling device having two motions to actuate.

Krug et al., U.S. Patent 6,244,129 B1

Belmond et al., U.S. Patent 5,528,957

Baumgarten, U.S. Patent 4,958,536

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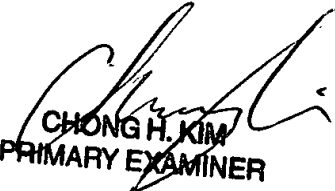
Smith, U.S. Patent 3,691,868

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chong H. Kim whose telephone number is (703) 305-0922. The examiner can normally be reached on Monday - Friday; 9:00 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Bucci can be reached on (703) 308-3668. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

CHK
November 22, 2002


CHONG H. KIM
PRIMARY EXAMINER